

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

MERRIMACK MUTUAL FIRE
INSURANCE COMPANY, a/so/ JOHN
McDONOUGH

Plaintiff,

v.

APPLICA CONSUMER PRODUCTS, INC.,
Defendant.

CIVIL ACTION NO. 04CV10091-MLW

**PARTIES JOINT STATEMENT PURSUANT TO
FED.R.CIV.P. 26(f) AND L.R. 16.1(b)**

The parties to the above-captioned matter, by and through their attorneys, hereby state
that:

1. Pursuant to Fed.R.Civ.P. 26(f) and L.R. 16.1(b), they conferred for the purpose
of:
 - a. Preparing an agenda of matters to be discussed at the scheduling
conference;
 - b. Preparing a proposed pretrial schedule for the case that includes a plan for
discovery; and
 - c. Considering whether they will consent to trial by magistrate judge.
2. After consideration of the topics contemplated by Fed.R.Civ.P. 16(b) and 26(f)

the parties propose the following pretrial schedule:

<u>Pretrial Activity</u>	<u>Date</u>
Required disclosures (26(a))	June 15, 2004
Written discovery requests	July 30, 2004
Motions to amend or supplement pleadings	August 31, 2004
Nonexpert disclosures by Plaintiff	September 31, 2004

Pretrial Activity

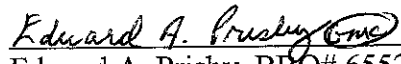
Date

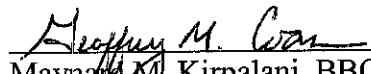
Nonexpert disclosures by Defendant	October 29, 2004
Final answers to expert interrogatories by plaintiff	November 30, 2004
Final answers to expert interrogatories by defendant	December 15, 2004
All discovery completed	January 10, 2005
All dispositive motions filed	February 28, 2004

Dated: April 30, 2004

Respectfully Submitted,
MERRIMACK MUTUAL FIRE
INSURANCE CO. a/s/o JOHN
MCDONOUGH
By its attorneys,

Respectfully Submitted,
APPLICA CONSUMER PRODUCTS, INC.,
By its attorneys,


Edward A. Prisby, BBO# 655217
Clark, Hunt & Embry
55 Cambridge Parkway
Cambridge, MA 02142
(617) 494-1920


Maynard M. Kirpalani, BBO# 273940
Geoffrey M. Coan, BBO# 641998
Wilson, Elser, Moskowitz, Edelman &
Dicker LLP
155 Federal Street
Boston, MA 02110
(617) 422-5300

CERTIFICATE OF SERVICE

I, Geoffrey M. Coan, hereby certify that I have this 30th day of April, 2004, served a copy of the foregoing upon all parties of record by mailing same postage prepaid to:

Edward A. Prisby, Esquire
Hunt, Clark and Embry
55 Cambridge Parkway
Cambridge, MA 02142


Geoffrey M. Coan

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

155 Federal Street, Boston, Massachusetts 02110 Tel: (617) 422-5300 Fax: (617) 423-6917

*New York • Los Angeles • San Francisco • Washington, DC • Newark • Philadelphia • Baltimore • Miami • Chicago • White Plains, NY
Dallas • Albany, NY • San Diego • Houston • Garden City, NY • Boston • McLean, VA • London
Affiliate Offices: Paris • Berlin • Cologne • Frankfurt • Munich*

www.wemed.com

Geoffrey M. Coan
Writer's Ext.: 5408
CoanG@wemed.com

April 30, 2004

HAND DELIVERED

Civil Clerk's Office
United States District Courts
U.S. Courthouse
One Courthouse Way
Boston, MA 02110

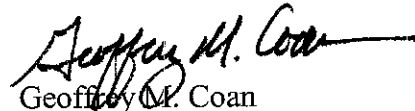
Re: Merrimack Mutual Fire Insurance Company v. Applica Consumer Products, Inc.
Our File No. : 06268.00148

Dear Clerk of Court :

Enclosed for filing please find the Parties Joint Statement Pursuant to Fed.R.Civ.P.26(f)
and L.R. 16.1(b)

Thank you.

Very truly yours,


Geoffrey M. Coan

GMC/svm
Enclosures
cc: Edward A. Prisby